

## **Remarks/Arguments**

Reconsideration of this Application is requested.

Applicant is filing this amendment under 37 CFR § 1.111.

Claims 1-10 and 22-24 have been rejected by the Examiner under 35 USC 101 because the claimed invention is directed to non-statutory subject matter.

Claim 1-10 and 22-24 have been amended to claim statutory subject matter.

Claim 1 utilizes a computer for the tracking of special service delivery by a carrier of a mail item created by an office worker.

Claims 1, 5-10 and 23-24 have been rejected by the Examiner under 35 U.S.C. 103(a) over Gelfer. (U.S. Patent Publication No. 2002/0046194) in view of Bennett et al. (U.S. Patent No. 7,117,170), still in further view of Wilz, Sr. et. al. (U.S. Patent No. 6,510,997).

### **Claims 1, 5, 6, 7, 9 and 10**

Gelfer discloses the following in paragraph 0004.

“[0004] A postal system including a carrier for delivering mail and a franking machine is described in German OS 197 33 605 A1. For each piece of mail an identity certificate is produced by the franking machine containing information about the respective piece of mail, such as the required fee and mailing parameters. The identity certificate is printed on a self-adhesive label which is adhered to the piece of mail.

The information contained in the identity certificate can be used by the carrier for delivering and billing purposes by reading the data from the identity certificate in a data center of the carrier before delivering the piece of mail. Further, an identity code for the piece of mail can be included in the identity certificate, selectively in readable form or as a bar code, which may be used for searching for a piece of mail in case of mailing errors.”

Gelfer creates an identity certificate that is printed on a self adhesive label which is affixed to the mail.

Gelfer discloses the following in paragraph 0007.

“[0007] These objects are achieved in a postal system and method according to the invention wherein a label is applied to the piece of mail, e. g. a letter, that contains some son of identity code, e. g. bar code information identifying one or more pieces of mail. This label is fixed on the letter before sending it, e. g. during the franking process, and wm be removed from the letter and placed on a separate sheet of paper after delivery of the letter. The identity code will then be read when the carrier returns to the local post office, e. g. by using a scanner reading the bar code. It can then be used for tracking and tracing purposes, e. g. by sending a message to the sender informing the sender about the delivery.”

Gelfer discloses the following in paragraph [0008].

“[0008] According to the invention it is not required that any letter carrier be equipped with a handheld scanner or any other reading device for reading the identity code. There is also no need for writing the identity code by hand, which is time consuming. It is much easier and faster to remove a label from a letter, place it on a separate sheet of paper, and read all labels centrally using an automatic reader.”

Gelfer avoids hand held scanning of the mail at the delivery point by having the carrier remove a label from the mail and place the label on a separate piece of paper after delivery of the letter. The foregoing is done for all mail that has labels. The labels are then read at the post office.

Furthermore, Gelfer is not disclosing a method for tracking special service delivery by a courier of a mail item, but is disclosing a confirmation of delivery by a mail carrier that is accomplished by removing a label and placing the label on a separate sheet of paper and reading all labels that have been placed on the sheet centrally using an automatic reader.

The Examiner stated the following in page 5 of the January 22, 2009, Patent Office Action.

“Gelfer does not explicitly disclose applying at the mail room a unique office worker generated identifier to the mail item, and providing the office worker with access to the company server to obtain the information relating to the location of the mail item.

However, Bennett et al. discloses the system assigns the package a system package tracking number and adds a record containing all of the pertinent information about the package to the system database 22."

Bennett discloses the following in Col. 53, lines 5-39.

" As a result of the Shipper selecting a Carrier cell entry in the Graphic Display to ship a package, the System assigns the package a System package tracking number and adds a record containing all of the pertinent information about the package to the System database 22. Following are exemplary Shipping tracking numbers: MAGGY84IVRY50; MAGGY84B496RF; MAGGY84XOFJ4 5. In one embodiment, the System Tracking Number is based on a Base-33 number system. The characters available are: Zero (0) through nine (9) and A through Z excluding "I" (i), "L" (l), and "O" (o). Each letter represents a value, as depicted in the table below:  
A=10 F=15 M=20 S=25 X=30  
B=11 G=16 N=21 T=26 Y=31  
C=12 H=17 P=22 U=27 Z=32  
D=13 J=18 Q=23 V=28  
E=14 K=19 R=24 W=29

Each System Tracking Number is 13 alphanumeric characters. Position 1 is the letter 'M'. Positions 2-7 are a System Account number. Positions 8-12 are a five-digit ID. Position 13 is a Check Digit.

To calculate the Check Digit, the System performs the following steps: 1) Consecutively multiply the numeric value of each of positions 2-7; 2) Consecutively multiply the numeric value of each of positions 8-12; 3) Add both results; 4) Divide by 31; 5) Convert the remainder value to a Base-33 number. The converted value is the Check Digit.

Referring to FIG. 5 once again, when a Shipper/User ships a package using the System, one or more of the System's Servers, e.g., 21a-21n create a new System tracking number. When a new System tracking number is created, one of the System's Database Servers, e.g., 20a-20n, adds a new package record with the newly created System tracking number to a Package Table 28."

Bennett discloses a tracking number, but does not make tracking information directly accessible to the office worker like the invention claimed by applicant.

The Examiner stated the following in Page 6 of the January 22, 2009, Patent Office Action.

"Bennett et al. does not disclose that the unique identifier includes an electronic address of a company server; and receiving from the carrier at the electronic address obtained by the carrier from the unique identifier on the mail item information relating to the location of the mail item.

However, Wilz, Sr.et. al. discloses in FIG. 9, each Package Log-In/Shipping subsystem 52 is realized as either a desktop or portable Internet Access Terminal of the present invention shown in FIGS. 1, 2, or 3 and described above.

Wilz discloses the following in col. 26, lines 27-46.

"As shown in FIG. 9, each Package Log-In/Shipping Subsystem 52 is realized as either a desktop or portable Internet Access Terminal of the present invention shown in FIGS. 1, 2, or 3 and described above. The function of the Package Log-In/Shipping Subsystem 52 is to log-in each package with a relational database management system (RDBMS) maintained within or behind the RTD Internet Server 51 of the system. As will be described in greater detail hereinafter, this log-in procedure involves: (1) accessing a RTD Internet Server 51 by reading a particular predesignated URL-encoded bar code symbol specifying its address on the Internet; (2) entering package-related information into the system by way of the Internet; (3) creating and printing a custom bar code symbol label encoded with the URL (and Zip-Code) and an address label bearing the name and address of the entity to whom the package is to be delivered; and (4) applying the bar code label and address to the package prior to shipping for carrying out routing, tracking and delivery functions."

Wilz discloses an internet log in procedure that utilizes an encoded bar code symbol specifying its address on the internet.

Bennett does not make tracking information directly accessible to the office worker like the invention claimed by Applicant in claim 1 and those claims dependent thereon.

The cited art does not disclose or anticipate the following steps of claim 1 namely, automatically detecting at the mail room the special service indicator on the mail item and determining the special service delivery required based on the detection of the special service indicator; applying at the mail room a unique office worker generated identifier to the mail item, the unique identifier including an electronic address

of a company server; receiving from the carrier at the electronic address obtained by the carrier from the unique identifier on the mail item information relating to the location of the mail item.

An advantage of Appellant's claimed invention over the cited art is that Appellant makes it easier for the office worker to track mail through a carrier process without utilizing more than one work station.

Claims 2 - 4 are have been rejected by the Examiner under 35 U.S.C. 103(a) over Gelfer (U.S. Publication No. 2002/0046194) in view of Bennett et al. (U.S. Patent No. 7,117,170) still in further view of Wilz, Sr. (U.S. Patent No. 6,510,997) and in further view of Bloom (U.S. Patent No. 6,974,928).

Claim 2 depends on claim 1. In claim 2, the special service indicator is a specific color associated the special service delivery. In addition to the arguments made above please consider the following.

Bloom discloses the following in col. 142, line 3-12.

"The cases of temperature-controlled items can be received onto a RDC inbound receiving dock conveyor (32) and moved into the local market sort. Cases of temperature-controlled items can, for example, be labeled with a different color label or marked in some way to indicate that they contain temperature-controlled items. RDC workers performing the local market sort and the CDC sort can give a higher priority to cases of temperature controlled items to move them through the RDC faster."

Bloom discloses using a different colored label to indicate the presence of temperature controlled items.

The art cited by the Examiner does not disclose or anticipate using a special service indicator that is a specific color that is associated with a special service delivery. An advantage of the foregoing is that when the special service indicator is color coded it is easily distinguishable to identify a specific special service associated with a specific color. For example, if only proof of deposit, delivery, and receipt are required a specific color or colors would be used.

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Claim 3 depends on claim 2. In claim 3, the specific color is automatically detected and identified to determine the special service delivery required by the mail item. In addition to the arguments made above please consider the following.

The art cited by the Examiner does not disclose or anticipate automatically detecting and identifying a specific color to determine the special service delivery required by the mail item.

Claim 4 depends on claim 3. In claim 4, the specific color is selected from a plurality of different colors, each of the plurality of different colors serving as an indicator of a different special service delivery requirement.

In addition to the arguments made above please consider the following.

The art cited by the Examiner does not disclose or anticipate selecting a specific color from a plurality of different colors, each of the plurality of different colors serving as an indicator of a different special service delivery requirement.

Please charge any additional fees that may be required or credit any overpayment to Deposit Account Number 16-1885.

In view of the above claims 1-10 and 22-24 are patentable. If the Examiner has any questions, would the Examiner please call the undersigned at the telephone number noted below.

Respectfully submitted,

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